

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Crim. No. 08-929 (FLW)
	:	Hon. Freda L. Wolfson
vs.	:	
JOHN T. CURLEY, JR.	:	<u>DETENTION ORDER</u>
	:	

This matter having been opened to the Court on motion of the United States, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (James T. Kitchen, Assistant United States Attorney, appearing on behalf of the United States before the Court on January 8, 2009), in the presence of Michael Chazen, Esq., attorney for defendant John T. Curley, Jr., for an order pursuant to Title 18, United States Code, Section 3142(e) detaining the defendants without bail pending trial in the above-entitled matter; the Government's Motion for Pre-trial detention the Court makes the following findings:

1. On December 18, 2008, the defendant was indicted by a grand jury in a four-count indictment charging two counts of Receipt of Child Pornography in violation of Title 18, United States Code, Sections 2252A(a)(2) and (b)(1), and two counts of Possession of Child Pornography in violation of Title 18, United States Code, Sections 2252A(a)(5) and (b)(2). The counts of Receipt of Child Pornography each carry a minimum term of imprisonment of 5 years and a maximum term of imprisonment of 20 years. The counts of Possession of Child Pornography each carry a maximum term of imprisonment of 10 years.

2. Pursuant to Title 18, United States Code, Section 3142(e), the Court finds that there is probable cause to believe that defendant committed an offense involving a minor victim under Title

18, United States Code, Section 2252A(a)(2), thus providing a rebuttable presumption that no conditions or combination of conditions will reasonably assure the appearance of the defendant, nor will any condition or combination of conditions reasonably protect the safety of the community.

3. The court finds that the defendant has not rebutted the presumption that there are no conditions or combination of conditions of bail that will reasonably assure the safety of the community.

4. The court further finds that the government has established by clear and convincing evidence that no condition or combination of conditions of bail will reasonably assure the safety of the community.

IT IS, therefore, on this 8th day of January, 2009,

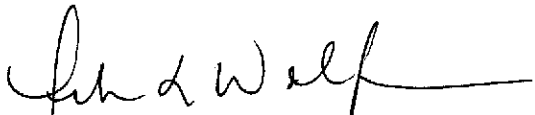
ORDERED, pursuant to Title 18, United States Code, Section 3142, that the defendant be committed to the custody of the Attorney General or her authorized representative pending trial; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that the defendant be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that the defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, the defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings; and it is further

ORDERED that the motion of the United States for an order detaining the defendant pending trial is hereby GRANTED, and the defendant is hereby ordered detained pending trial in the above-entitled matter.



HONORABLE FREDA L. WOLFSON
United States District Judge